

FACT SHEET

DRAFT HAZARDOUS WASTE PERMIT BAYER POLYMERS, LLC 356 THREE RIVERS PARKWAY ADDYSTON, OHIO

The principle products of Bayer Polymers LLC (Bayer) are acrylonitrile-butadiene-styrene (ABS) and styrene-acrylonitrile (SAN) plastics. Styrene-maleic anhydride and methanol-formaldehyde resins are also manufactured at this site. These materials are used in the manufacture a wide variety of products such as automobiles, appliances, decorative and electrical laminates, housewares, toys, paints, luggage and packaging. Hazardous wastes are generated at the facility by the manufacturing processes. Bayer has four units that manage hazardous waste subject to the regulations under the Resource Conservation and Recovery Act (RCRA). The first unit is the container storage area where containerized hazardous waste is stored prior to shipment for off-site disposal. The second and third units are tanks used to store spent monomer. The waste from both of these tanks is subsequently burned on-site as a supplemental fuel in a natural gas boiler identified as boiler 4. It is currently regulated under the Boiler and Industrial Furnace standards. The above activities require Bayer to comply with the requirements of the Resource Conservation and Recovery Act (RCRA) as a hazardous waste management facility. Bayer is applying for this permit in order to continue operating the hazardous waste management units at its facility. No new hazardous waste operations are being requested in the application for this permit.

Under RCRA the state of Ohio may apply for authorization to administer the hazardous waste regulations promulgated by U.S. EPA under RCRA. The Ohio Environmental Protection Agency (OEPA) has been authorized to administer most of the RCRA regulations applicable to Bayer. However, it has not been authorized for the regulations covering air emissions from equipment handling hazardous waste at 40 CFR Part 264, Subpart BB and from hazardous waste tanks and containers at 40 CFR part 264, subpart CC. OEPA is also not authorized for the BIF standards. U.S. EPA must make the RCRA permit decision involving those regulations. Other aspects of the tanks and containers are covered under a RCRA permit issued by the OEPA on July 11, 2003.

Boiler 4 has been operating under interim status with regard to the BIF regulations. This is due to the fact that although hazardous waste has been burned in the boiler for many years, the BIF regulations were not promulgated until 1991.

The proposed U.S. EPA permit will include general conditions required by 40 CFR Part 270, Subpart C, specific conditions at 40 CFR §§ 264.1084 and 264.1086 applicable to air emissions from hazardous waste stored in tanks and containers, and conditions specific to the burning of hazardous waste in Boiler No. 4 at 40 CFR Part 266, Subpart H.

RCRA regulations require U.S. EPA to give public notice inviting comments when a draft permit has been prepared for issuance under RCRA. During the public comment period any interested person

may submit written comments on the draft permit and may request a public hearing. A request for a U.S. EPA public hearing must be in writing and shall state the nature of the issues proposed to be raised in the hearing. All comments will be considered in making the final decision to issue or deny the permit, and will be answered at the time the final permit decision is issued. The response to comments will specify which provisions, if any, of the draft permit will be changed in the final permit decision and the reasons for the change and will describe and respond to all significant comments raised during the public comment period or during a hearing.

The public comment period will begin on January 27, 2004 and end on March 11, 2004. Written comments and a request for a hearing must be submitted before the end of the public comment period to the following address:

John Gaitskill
United States Environmental Protection Agency
Waste Management Branch, DW-8J
77 West Jackson Blvd.
Chicago, Illinois 60604-3590

or by email at: gaitskill.john@epa.gov

Please put “public comment Bayer Polymers LLC” in the subject line.

A copy of the draft permit and relevant documents are available for public review at the following locations:

Miami Township Library
8 North Miami Ave
Cleves, Ohio

U.S. EPA Records Center
7th floor
77 West Jackson Blvd
Chicago, Illinois

Ohio EPA - Southwest District Office
401 East 5th Street
Dayton, Ohio

The draft permit will also be available at the following webpage on the Internet:

<http://www.epa.gov/reg5rcra/wptdiv/permits/index.htm>

After the close of the public comment period, U.S. EPA will either issue a permit which will include terms and conditions as are necessary to ensure compliance with the applicable hazardous waste rules, or deny Bayer's application for a RCRA permit.